

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Sang Shihong, Individually and on
Behalf of All Others Similarly
Situating,

Civil File No. 09-cv-2856 (PJS/FLN)

Plaintiff,

v.

SUPERVALU INC., Jeff Noddle,
and Pamela K. Knous,

Defendants.

DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S CLASS ACTION
COMPLAINT FOR VIOLATION OF
THE SECURITIES LAWS

Pursuant to Federal Rule of Civil Procedure 12(b)(6) and the Private Securities Litigation Reform Act of 1995 (15 U.S.C. § 78u), Defendants respectfully move this Court to dismiss Plaintiff's Class Action Complaint for Violation of the Securities Laws with prejudice for failure to state a claim upon which relief can be granted. This Motion shall be supported by the accompanying Memorandum of Law, the Declaration of Peter W. Carter and all exhibits thereto, and all files, records, and proceedings herein.

Dated: December 28, 2009

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